

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of:
John Hevesi et al.

Appellants: John Hevesi and Steve Horvath

Application No.: 10/822,159

Confirmation No.: 2644

Filed: April 12, 2004

Art Unit: 3617

For: PADDLE BLADE, SHAFT AND GRIP

Examiner: Edwin L. Swinehart

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST AMENDED APPELLANTS' APPEAL BRIEF

Dear Commissioner:

This brief is filed in response to a Notification of Non-Compliant Appeal Brief dated March 10, 2010. This brief is filed more than two months after the Notice of Appeal filed in this case on July 17, 2009, and is in furtherance of said Notice of Appeal.

Appellants' attorneys respectfully solicit the Board to remand this case to the Examiner with instructions to allow the case pursuant to 37 C.F.R. §1.197(a).

This brief contains, under the appropriate headings and in the order indicated, the following items as required by 37 C.F.R. §41.37(c)(1):

- I. REAL PARTY IN INTEREST
- II. RELATED APPEALS AND INTERFERENCES
- III. STATUS OF CLAIMS
- IV. SUMMARY OF THE AMENDMENTS
- V. SUMMARY OF THE CLAIMED SUBJECT MATTER
- VI. GROUNDS OF REJECTION TO BE REVIEWED IN APPEAL
- VII. ARGUMENT
 - A. REJECTION OF CLAIMS 1 – 4 UNDER 35 U.S.C. §103(A)
- VIII. CLAIMS APPENDIX
- IX. EVIDENCE APPENDIX
- X. RELATED PROCEEDINGS APPENDIX

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AMENDED OUTLINE OF APPEAL BRIEF

IX. EVIDENCE APPENDIX

None.

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X. RELATED PROCEEDINGS APPENDIX

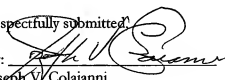
None.

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Appellants believe no fees are due with this filing. If any fees are due, please charge our Deposit Account No. 50-0709, under Order No. 022306.0101PTUS from which the undersigned is authorized to draw.

Dated: 4/6, 2010

Respectfully submitted,

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